

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1) (Original) A particulate composition comprising;

a) at least 50% of dioleoyl phosphatidyl ethanolamine (DOPE); and

b) 1 to 50% of Polysorbate 80 (P80),

wherein all parts are by weight relative to the sum of the weights of a+b and wherein the composition comprises non-lamellar particles or forms non-lamellar particles when contacted with an aqueous fluid.

2) (Currently Amended) A particulate composition comprising an amphiphilic carrier formulation consisting of ; a) at least 50% of dioleoyl phosphatidyl ethanolamine (DOPE);

b) 1 to 50% of Polysorbate 80 (P80);

c) optionally a solvent;

wherein all parts are by weight relative to the sum of the weights of a+b and wherein the composition comprises non-lamellar particles or forms non-lamellar particles when contacted with an aqueous fluid and wherein the carrier formulation ~~exhibits~~ exhibits no ~~acute~~ acute toxicity in rats at a level of up to at least 1000 mg of components a+b per kg of subject.

3) (Currently Amended) A particulate composition comprising an amphiphilic carrier formulation consisting of ; a) at least 50% of dioleoyl phosphatidyl ethanolamine (DOPE);

b) 1 to 50% of Polysorbate 80(P80);

c) optionally a solvent;

wherein all parts are by weight relative to the sum of the weights of a+b and wherein the composition comprises non-lamellar particles or forms non-lamellar particles when contacted with an aqueous fluid and wherein the carrier formulation ~~exhibits~~ exhibits no pyrogenicity when dosed parenterally in rabbits at a level of up to at least 5 ml of a 5% dispersion of components a+b per kg of subject.

4) (Currently Amended) A composition as claimed in ~~any of claims~~ claim 1 to 3 additionally comprising at least one active agent.

5) (Currently Amended) A composition as ~~claimed~~ claimed in ~~any of claims~~ claim 1 to 4 comprising at least 50% non-lamellar particles.

6) (Currently Amended) A composition as ~~claimed~~ claimed in ~~any of claims~~ claim 1 to 4 which forms at least 50% non-lamellar particles upon contact with an aqueous fluid.

7) (Currently Amended) A composition as ~~claimed~~ claimed in claim 6 wherein said aqueous fluid is a body fluid.

8) (Currently Amended) A composition as ~~elimed~~ claimed in ~~any of claims~~ claim 1 to 7 wherein said particles have an average particle size of 10 to 150  $\mu\text{m}$ .

9) (Currently Amended) A composition as ~~elimed~~ claimed in ~~any of claims~~ claim 1 to 7 wherein said particles are colloidal.

10) (Currently Amended) A composition as ~~elimed~~ claimed in claim 9 wherein said particles are stable in terms of phase behaviour and particle size to storage at room temperature for at least 10 days.

11) (Currently Amended) A composition as claimed in ~~any of claims~~ claim 1 to 10 in the form of a dry powder.

12) (Currently Amended) A pharmaceutical formulation comprising a composition as claimed in ~~any of claims~~ claim 1 to 11.

13) (Currently Amended) A formulation as ~~elimed~~ claimed in claim 12 further comprising at least one pharmaceutically ~~tollerable~~ tolerable carrier or excipient.